

that this bankruptcy agreement would leave many injured victims without recourse. I led a group of eight State attorneys general in warning the Federal Government—which supported and sponsored the bankruptcy plan—that the situation we see now would come to pass. I don't take a lot of satisfaction in knowing that now we have learned the real facts GM concealed then. I don't take any satisfaction in the potential denial of what is due to the victims of GM's concealment, not to mention its reprehensible and potentially illegal failure to repair those defects rather than conceal them. But, unfortunately, that is what has happened.

Due to GM's failure to disclose that known defect in its vehicles and facts that will continue to come to light in this investigation, everything suggests that this failure to disclose was, in fact, deliberate, fraudulent concealment of information from consumers and from government officials. That is criminal, and that is why the Department of Justice is investigating.

As we stand here, we may be too early to reach conclusions but not too early for the Department of Justice to make things right and for GM to do the right thing.

Yesterday I sent a letter to Attorney General Eric Holder. I told General Holder respectfully that I believe the Federal Government has a moral if not a legal obligation to take certain steps to protect innocent consumers, and I requested that he give it his personal attention. I do that again today—make that request—and urge his personal attention.

Although consumer victims may be barred from seeking relief before the bankruptcy court, the Department of Justice can take steps now in the context of this criminal investigation that could greatly help people who have been injured—innocent victims who were driving that car down the freeway or on a country road when the ignition was bumped, when the key ring had too many keys and their car stopped, the airbag failed to operate, and some died.

I requested the DOJ to have GM establish a fund to compensate injured consumers. It is a civil remedy that can be done as an interim step in a criminal prosecution. The Department of Justice has the authority to request many kinds of relief, and in light of the continuity of personnel between the old GM and the new GM, this kind of remedy would be absolutely appropriate for the new GM and it could simply allocate some of its assets. And fortunately it is doing well. No one begrudges GM its success. We welcome its profitability. But it can do what is right and use some of those profits to correct this wrong.

If necessary, the Department of Justice also could enter into a deferred prosecution agreement, as it did recently with Toyota, and it reached a settlement there of \$1.2 billion.

There is also a precedent for criminal investigations of this nature being re-

solved by settlements in the BP oil spill in the Gulf of Mexico. A \$4 billion criminal settlement was distributed among groups working to mitigate the spill's effects and prevent future problems, including the National Fish and Wildlife Foundation, which has done great work, and the Oil Spill Liability Trust Fund.

If such a settlement were reached here, there should be priority on ensuring that funds compensate consumers who suffered the worst losses—the loved ones of people killed as well as the innocent victims who were injured or suffered economic loss.

In addition to the fund, I also requested that the Department of Justice intervene in pending civil actions to oppose GM's effort to deny knowledge or responsibility for damage. What GM has done is to remove State court cases to Federal court and then asked for a transfer to the bankruptcy court, all the while knowing that the bankruptcy proceeding cannot be reopened, and in any event the old GM has vastly insufficient assets to satisfy any real judgment.

I believe there are answers here that will satisfy fairness and justice and enable GM to live up to the integrity and image that befits them. I believe that the Department of Justice, or another consumer protection agency, must ensure that consumers are aware of the potential dangers in this continuing defective series of vehicles, including the Cobalt, the Saturn, and other models over those same years.

I would never let one of my children behind the wheel of one of those cars without a major repair. I don't know that anyone else should—or anyone driving themselves—be behind the wheel of these cars.

When a large national company such as GM markets a product, they have a responsibility. They have a moral and legal responsibility to ensure that the product is safe. When one of those companies—any company—becomes aware of safety issues, it has a responsibility to disclose them.

I joined a bill—with the leadership of Senator MARKEY—that would require better, faster disclosure by NHTSA, and I will speak on another occasion about the lapses in responsibility on the part of Federal watchdogs who failed to protect the public, failed to detect a pattern of problems in these cars, and failed to blow the whistle.

GM has its own responsibility, and I know that a new era of leadership at GM under a new leader may mean a new day in its acknowledging its moral and legal responsibility, and I hope for that new day.

The innocent victims of defective cars suffered life-ending and life-changing injuries. Many of them could have been avoided but for the purposefully misleading and deceptive conduct by GM. Our responsibility now is to see that justice is done either through ensuring that compensation is made available or through appropriate criminal

enforcement or both. The criminal law, as we know in this body, is a means of seeking justice, and it can provide a good outcome if it is properly framed and enforced.

I thank the Presiding Officer.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO JEAN M. MANNING

Mr. DURBIN. Mr. President, I congratulate Jean Manning on her retirement from the Senate and thank her for her 21 years of dedicated service. Her wise counsel will be missed in the Senate. That is why the Senate recently passed S. Res. 391 designating Jean Manning as Chief Counsel for Employment Emeritus of the United States Senate.

Jean grew up in the heart of Chicago and received three degrees from the University of Illinois—a B.A., an M.B.A., and a J.D. While pursuing her law degree, Jean was a member and the articles editor of the University of Illinois Law Review and was awarded the Rickert Award for Excellence in Legal Writing. Not forgetting where she came from, today Jean remains very active at the University of Illinois, where she is a member of the University of Illinois Foundation and of the College of Law Board of Advisors, serving as president at one time.

In the early 1990s, Congress as a workplace underwent a sea change when all major employment laws became applicable. In 1993, following a nationwide search, Jean was tapped to establish and manage the Office of the Senate Chief Counsel for Employment. She and her staff helped guide Senate offices as these employment laws were implemented and has continued to assist our offices to this day. Jean has counseled Senate offices to ensure compliance with the Equal Pay Act, the Family and Medical Leave Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act and many other laws. It was her responsibility to see that Senate offices understood and followed employment laws so that Senate employees have the rights and protections the laws provide.

To Jean's credit, the Office of the Senate Chief Counsel for Employment

has earned a stellar reputation throughout the Senate. Her office provides impartial and discreet legal advice, training, and representation to Senate committees, support services, and the 247 Senators who have served in this body since Jean's hiring. Jean and the attorneys under her supervision have resolved countless administrative matters within the Senate and have always been ready to assist with any question a Senate office may have on employment matters. Considering the Senate is comprised of some 150 offices—Member, committee, and support services—this is no small task.

Jean also has represented Senate offices at all levels of the Federal court system, including the U.S. Supreme Court. And since its inception 21 years ago, the Office of the Senate Chief Counsel for Employment has never lost a case.

I thank Jean for her exceptional service to the Senate. The Senate is losing a great legal advocate, educator and source of institutional knowledge. We will miss her, though I will be among the many who will gladly welcome her back when she returns to Illinois.

#### SUNSCREEN INNOVATION ACT

Mr. REED. Mr. President, I am pleased to be joined by Senator ISAKSON and Representatives DINGELL and WHITFIELD in the introduction of the Sunscreen Innovation Act.

According to the American Cancer Society, skin cancer is the most common form of cancer in the United States. In 2014, over 2 million people will be diagnosed with skin cancer, and 20 percent of Americans will get skin cancer at some point during their lifetime. Melanoma, a dangerous form of skin cancer that often spreads throughout the body if not treated, will be diagnosed in an estimated 76,000 individuals this year, and will take the lives of almost 10,000 Americans. Many skin cancers are preventable with the use of effective sunscreen and by avoiding certain activities, like the excessive use of tanning beds.

Throughout my time in Congress, I have been working to ensure consumers have adequate information to prevent skin cancer. For example, I authored the 2007 Tanning Accountability and Notification Act, which has helped spur the Food and Drug Administration's, FDA review of indoor tanning bed labels. Through letters to the FDA and report language in the annual appropriations bill, I continue to press the FDA to implement new tanning bed labeling standards found to be most effective in warning consumers about the harm caused by indoor tanning.

In addition, after working with my former colleague, Senator Chris Dodd, since 1997 to compel the FDA to strengthen sunscreen labeling standards, in 2011 the FDA finally began to take action to finalize parts of the sunscreen monograph relating to the test-

ing and labeling of sunscreen lotions. These regulations were over 30 years in the making. Last year, I urged the FDA to complete its review of sunscreen sprays and the use of sun protection factor, SPF, numbers higher than 50 on product labels.

One barrier to improved sunscreens has been the rate at which new over-the-counter, OTC sunscreen ingredients have been approved by the FDA. Indeed, the last such ingredient approved by the FDA was in the 1990s, with the eight new ingredients submitted since 2002 still awaiting review. It is critical that the FDA perform its due diligence to guarantee that the sunscreen products are safe and effective, but this review process also needs to occur in a timeline that allows these necessary products to get into the hands of consumers.

Many of these ingredients have been used in sunscreen products in Europe, Asia, and Central and South America, in some cases for many years. Unfortunately, delays in the FDA review process have kept these products off the shelves in the United States for years while awaiting approval.

Our bipartisan, bicameral Sunscreen Innovation Act aims to improve the application process for these new OTC ingredients and ensure consumers have access to new and potentially more effective sunscreen products in a timely manner. Americans have waited far too long for the most advanced, effective ways to protect themselves from the sun.

I am pleased that this legislation has the support of the PASS Coalition, which is made up of such organizations as the Melanoma Research Alliance, the Prevent Cancer Foundation, the Skin Cancer Foundation, and many others.

I look forward to working with these and other stakeholders, as well as Senator ISAKSON, Representatives DINGELL and WHITFIELD, and the rest of our colleagues to pass the Sunscreen Innovation Act in order to improve access to new and more effective sunscreen products. Indeed, as we look to the coming warmer months, it is important that we undertake serious efforts that will give consumers greater peace of mind that the sunscreen products they purchase offer the strongest possible protection against the sun's harmful rays.

#### GOULDSBORO, MAINE

Ms. COLLINS. Mr. President, I wish to commemorate the 225th anniversary of the town of Gouldsboro, ME. Known today as a beautiful gateway to the Schoodic Peninsula section of Acadia National Park, Gouldsboro was built with a spirit of determination and resiliency that still guides the community today.

Gouldsboro's incorporation in 1789 was but one milestone on a long journey of progress. For more than 10,000 years, the area was a favorite hunting and fishing grounds of the Abenaki, the

Native American tribe of northeastern North America. The name "Schoodic" comes from their word for a place of plentiful fish in waters kept ice-free through the winter by the moderating currents of the Gulf of Maine. The reverence of the Abenaki for nature remains strong among all who call the peninsula home today.

The original name of Acadia National Park—Sieur de Monts National Monument recognizes the ongoing influence of the French explorers who visited the area in the early 1600s. In 1763, the Seven Years' War between France and Great Britain for control of North America ended with a British victory. With peace came bold pioneers seeking opportunity.

The first recorded non-Native American settler on the peninsula was Thomas Frazer, who built a salt works at the mouth of a creek that today bears his name. Another early settler was the town's namesake, Robert Gould, whose untiring efforts and boundless optimism helped attract new members to the growing community. By the early 1800s, Gouldsboro was a thriving town of lumber and grain mills, fishing, and shipbuilding.

The character of the people of Gouldsboro of years gone by and of today is best represented by one of the town's historic treasures, the bell of the SS *Queen Victoria*. In 1864, leaders of the Canadian Confederation gathered on that great steamship anchored at Charlottetown, Prince Edward Island, and reached the agreement to found a new nation.

Two years later, the *Queen Victoria* sank in a hurricane off the coast of Cape Hatteras, NC. Captain Rufus Allen, from the Gouldsboro village of Prospect Harbor, steered his Gouldsboro-built brig *Ponvert* into harm's way and was able to rescue 42 of the 43 officers and crew. In recognition of his heroism, Captain Allen was presented with one of the few items saved from the doomed steamship—the bronze bell. He gave the 95-pound bell to the Prospect Harbor School upon his retirement in 1875.

In 2004, 138 years after Captain Allen's daring rescue, the people of Gouldsboro recognized the significance of the *Queen Victoria* to Canadian history and commissioned Prospect Harbor artist and craftsman Dick Fisher to create a replica, which was given to the people of Charlottetown.

That single gesture reaffirmed Gouldsboro's connection to the sea and strengthened the enduring friendship between the United States and Canada.

Today, Gouldsboro is a place where fishing families and summer visitors cherish that connection to the sea. Through hard work and ingenuity, Gouldsboro has become not just a gateway but an essential part of the Acadia experience. With its charming villages, working waterfronts, artist studios, and many recreation opportunities, Gouldsboro is a true gem on the Maine coast.